

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:09CR163</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>VICTOR F. MENDOZA-HERNANDEZ,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the government's motion to dismiss Count IV of the Indictment as against the Defendant, Victor F. Mendoza-Hernandez (Filing No. 37). Under Federal Rule of Criminal Procedure 48(a), leave of court is granted for the dismissal of Count IV of the Indictment against the above-named Defendant.

**IT IS ORDERED:**

1. The government's motion to dismiss (Filing No. 37) is granted; and
2. Count IV of the Indictment is dismissed as against the Defendant, Victor F. Mendoza-Hernandez.

DATED this 29<sup>th</sup> day of September, 2009.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge